

7/19/74

Rule 200. Public Records

- A. All information, analyses, plans or specifications that disclose the nature, extent, quantity or degree of air contaminants or other pollution which any article, machine, equipment, or other contrivance will produce, which the District requires any applicant to provide before such applicant builds, erects, alters, replaces, operates, sells, rents, or uses such article, machine, equipment, or other contrivance, are public records.
- B. All air or other pollution monitoring data, including data compiled from stationary sources, are public records.
- C. Except as otherwise provided in Paragraph D. of this rule, trade secrets are not public records under this Regulation. Trade secrets, as used in this Regulation may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compounds, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.
- D. Notwithstanding any other provision of law, all air pollution emission data, including those emission data which constitute trade secrets as defined in Paragraph C., are public records. Data used to calculate emission data are not emission data for the purpose of this subdivision and data which constitute trade secrets and which are used to calculate emission data are not public records.